

UNITED STATES DISTRICT COURT

for the

Western District of Texas**FILED**

June 30, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY: Jackson

DEPUTY

United States of America
Cruz Ricardo HERNANDEZ-Hernandez

aka

Ricardo HERNANDEZ-Hernandez
XXX XXX 681

Case No. SA:22-MJ-00988

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 30, 2022 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

8 U.S.C. § 1326(a)

Illegal Reentry

Penalties: 2 years confinement, \$250,000 Fine or Both;

1 year supervised release, \$100 mandatory special assessment.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.RUBEN J
RIOSDigitally signed by
RUBEN J RIOS
Date: 2022.06.30
09:58:42 -05'00'*Complainant's signature*

Ruben J. Rios, Deportation Officer

Printed name and title

- ☐
- Sworn to before me and signed in my presence.
-
- ☒
- Sworn to telephonically and signed electronically.

Date: June 30, 2022City and state: San Antonio, Texas*Judge's signature*

Elizabeth S. Chestney, U.S. Magistrate Judge

Printed name and title

Being duly sworn, I declare that the following is true and correct to the best of my knowledge:

My name is Ruben J. Rios, and I am a Deportation Officer with Immigration and Customs Enforcement ("ICE")/Enforcement Removal Operations ("ERO"), with whom I have been employed since October 15, 2007. I am authorized by the United States Department of Homeland Security to enforce the Immigration Laws and Regulations of the United States, or any other Laws or Regulations designated by the Attorney General or his successor, the Secretary of the Department of Homeland Security.

On June 21, 2022, Cruz Ricardo HERNANDEZ-Hernandez aka Ricardo HERNANDEZ-Hernandez (hereafter "HERNANDEZ"), ICE/ERO Officers commenced an investigation on HERNANDEZ after it was discovered that he was arrested by the San Antonio Park Police and released from the San Antonio Magistrates Office. ICE/ERO Officers were able to obtain HERNANDEZ's biographical information and address from the citation he was issued and conducted immigration history and criminal history inquiries and determined HERNANDEZ to be an alien illegally present within the United States, who had been previously removed.

On June 27, 2022, ICE/ERO Officers conducted surveillance at HERNANDEZ's residence at 1804 W. Travis, San Antonio, Texas 78207.

On June 30, 2022, ICE Officers observed a male subject fitting the description of HERNANDEZ walk out from his residence at 1804 W. Travis San Antonio, Texas 78207 and enter the driver seat of a red Dodge previous booking photo. HERNANDEZ drove away from his residence and at that time, ICE/ERO Officers conducted a traffic stop at the 1900th block of W. Salinas St.

ICE/ERO Officers approached the vehicle wearing their ICE/POLICE issued body armor with ICE/POLICE markings and badges. ICE/ERO Officers identified themselves as Immigration Officers and asked the driver his name and if he possessed any form of identification. The driver stated he did not have any identification and stated that his name is Cruz Ricardo HERNANDEZ-Hernandez. ICE/ERO Officers questioned HERNANDEZ as to his citizenship and immigration status. HERNANDEZ stated that he is a citizen and national of Mexico and does not have any immigration documents allowing him to be or remain in the United States legally.

HERNANDEZ was placed under arrest for being illegally present in the United States after a final order of removal and was transported to the San Antonio ICE/ERO office.

At the ICE/ERO office, HERNANDEZ's fingerprints were enrolled and submitted through immigration and FBI databases, which verified his identity. The databases revealed that HERNANDEZ is a citizen or national of Mexico with assigned Alien Registration Number A-XXX-XXX-681. A review of A-XXX-XXX-681 in the Enforce Alien Removal Module ("EARM"), a Department of Homeland Security database, revealed that HERNANDEZ is an alien who was initially removed from the United States to Mexico on or about July 12, 1994. HERNANDEZ's last removal to Mexico was on or about November 10, 2003. Immigration databases revealed that HERNANDEZ has not been granted permission to reapply for admission from the Attorney General of the United States, or his successor, after his removal.

On June 30, 2022, the defendant was informed of his right to consular notification and was provided an opportunity to call the Consulate General of Mexico upon his arrest. On June 30, 2022, the Consulate General of Mexico was notified of HERNANDEZ's arrest. An immigration detainer will be filed with the U.S. Marshals Service on June 30, 2022.

Based upon the information set forth above, there is probable cause to believe that HERNANDEZ has illegally re-entered the United States in violation of 8 U.S.C. § 1326(a).

RUBEN J
RIOS

Digitally signed by
RUBEN J RIOS
Date: 2022.06.30
09:58:15 -05'00'

Ruben J. Rios
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn before me the 30th day of June 2022.


ELIZABETH S. CHESTNEY
UNITED STATES MAGISTRATE JUDGE